

EXHIBIT

“40”

November 6, 2019

The Honorable Nathaniel M. Gorton
United States District Judge

Re: Michelle Janavs

Dear Judge Gorton:

I am a retired psychotherapist with dual licensure in California (Licensed Clinical Social Worker and Marriage & Family Therapist), in addition to membership in related professional organizations. I have worked for the Board of Behavioral Science Examiners as an Examiner, and am published in the field. As a psychotherapist, I have been Clinical Director in multiple hospital programs, have consulted in senior roles at a variety of social services organizations, and provided supervision to dozens of people seeking licensure.

I did my undergraduate work at University of Pennsylvania, and my graduate work at Columbia University.

My husband and I first met Michelle Janavs at a community meeting about 15 years ago where homeowners were trying to deal with a serious conflict in the community. We were impressed by Michelle's interest and contributions. Shortly thereafter, she introduced us to her parents, with whom we became close.

Through my friendship with her mother (Lilly Merage), I increasingly spent time with Michelle and her siblings (and their children, to a lesser degree). We participated in family events, cultural activities, charitable events, etc. so for many years I am first-hand familiar with Michelle's activities. Every family has a culture of its own, and in my lifetime and profession I have rarely seen an "immediate family culture" as healthy and loving as the Merages.

Michelle has always impressed me... for very many reasons...

1. A history of CHARITABLE contribution. Michelle's giving includes not only financial but a significant amount of hands-on, active participation. Unlike some persons of wealth, she gives with her time, not just her money----and she does so in roles that require exertion and dedication. Of particular interest has been the issue of hunger. She has been a member of the Harvesters and the Second Harvest Food Bank for many years. More interesting to me is that, purposefully in order to sensitize them, she engaged her children, instilling in them the attitude of "active giving, by doing." She initiated the Candy Palace project. For this, she located an illustrator, a printer and, with her daughter's active involvement, created a book....a new means to combat hunger. Her goal was to involve children in the process to heighten their awareness of the less fortunate, and she accomplished this through IZZIE'S CORNER, where children participate in the service of others.

2. A FULL-TIME MOTHER. Michelle volunteered for a short time after her psychology training in a shelter for abused women. While she found helping battered women fulfilling, on an emotional level it was difficult for her, so she began low-level work at her family business. There, she worked a couple years as an analyst, and retired when expecting her first child. While employed, she was not in a position of authority or influence, and like her Mom was not career-oriented.
3. ROLE IN THE FAMILY. Whenever there has been any kind of family issue, she has immediately stepped up and been the one primarily responsible for whatever was necessary. I have personally witnessed this many times. Most relevant, at this moment, is that her mother [REDACTED] almost four years ago. Michelle has been incredibly loving and "hands-on" capable... always available. She spent four months out of state with her mother during the initial crucial stages, only returning home occasionally to attend to her own children. With that same energy and commitment she has cared for others she has loved, including unrelated individuals. She helped one underprivileged woman, for example, who had [REDACTED], assuring she receive the attention she needed, and deserved.
4. FACE TO THE WORLD. Despite the privilege she has enjoyed, Michelle is down to earth. She is routinely kind, and thoughtful of others. In her early childhood, there was not the wealth the family now enjoys. She witnessed her parents work hard for everything they accomplished and later accumulated.

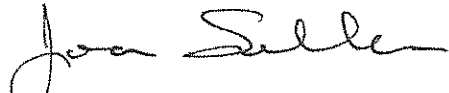
CONCLUSION. I believe Michelle's actions were purely a result of wanting the best for her children; and that obscured both her judgment and the "bigger picture," as it has for parents historically. Michelle is, at heart, a wonderful person, and this serious blip is a one-time aberration in my view.

Perhaps the best value I can add to your calculus in sentencing, is to render my own opinion as a psychotherapist, who has some experience with criminal mentality and closely observed Michelle and her family for 15 years.

- A. Self-Development. I believe Michelle has learned a great deal through this experience. She has handled this difficult process with grace and maturity, self-analyzing and always focused and concerned about the impact on those she loves. She knows she caused trauma to her family and disappointment to many others, including students from less fortunate families. She accepts responsibility.
- B. Impact on Mother. As you consider Michelle's sentence, Your Honor, I believe that time away from her mother, [REDACTED]
[REDACTED]
- C. Impact on Youngest Daughter. Furthermore, the youngest daughter, who still is at home, [REDACTED] and I believe will also experience serious hardship if her mother is not with her.

Finally, I have no doubt at all that henceforth she will be a credit to herself, her family and her community. I hope her sentence will reflect that she is remorseful, someone upon whom virtually every member of her family depends, and a high-contributing member of society.

Sincerely,



Jean Sellers